

1 LATHAM & WATKINS LLP
Steven M. Bauer (Bar No. 135067),
2 steven.bauer@lw.com
Robert E. Sims (Bar No. 116680),
3 bob.sims@lw.com
David M. Friedman (Bar No. 209214),
4 david.friedman@lw.com
Heather L. Thompson (Bar No. 246321),
5 heather.thompson@lw.com
505 Montgomery Street, Suite 2000
6 San Francisco, California 94111-6538
Telephone: +1.415.391.0600
7 Facsimile: +1.415.395.8095

8 Attorneys for Defendant
Carl W. Jasper
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 SECURITIES AND EXCHANGE
COMMISSION,

15 Plaintiff,
16

17 v.

18 MAXIM INTEGRATED PRODUCTS, INC
and JOHN F. GIFFORD,

19 Defendants.
20
21
22
23
24
25
26
27
28

CASE NO. CV 07-6121 (RMW)

NOTICE OF ADMINISTRATIVE MOTION

Carl W. Jasper hereby informs the court that on December 7, 2007 he filed an administrative motion to determine whether *SEC v. Carl W. Jasper*, Case No. 07-6122 HRL, should be related to *In re Maxim Integrated Products Inc. Derivative Litigation*, Case No. 06-3344 JW, which is currently pending before Judge Ware of this division. A copy of the motion is attached hereto as Exhibit A.

Respectfully submitted,

By /s/
Heather L. Thompson
Attorneys for Defendant
Carl W. Jasper

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

1 LATHAM & WATKINS LLP
Steven M. Bauer (Bar No. 135067),
2 steven.bauer@lw.com
Robert E. Sims (Bar No. 116680),
3 bob.sims@lw.com
David M. Friedman (Bar No. 209214),
4 david.friedman@lw.com
Heather L. Thompson (Bar No. 246321),
5 heather.thompson@lw.com
505 Montgomery Street, Suite 2000
6 San Francisco, California 94111-2562
Telephone: +415.391.0600
7 Facsimile: +415.395.8095

8 Attorneys for Defendant
Carl W. Jasper
9

10 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 IN RE MAXIM INTEGRATED
PRODUCTS, INC. DERIVATIVE
13 LITIGATION

CASE NO. C. 06-3344 JW

DEFENDANT CARL W. JASPER'S
ADMINISTRATIVE MOTION TO DETERMINE
14 WHETHER CASES SHOULD BE RELATED TO
15 CASE NO. 06-3344 JW

1 Pursuant to Civil Local Rule 7-11, Defendant Carl W. Jasper (“Mr. Jasper”)
2 hereby moves the Court for consideration of whether the matter *SEC v. Carl W. Jasper*, Case No.
3 07-CV-6122-HRL (filed December 4, 2007) (“*SEC v. Jasper*”) is related, as defined by Civil
4 Local Rule 3-12, to this action (*In re Maxim Integrated Products, Inc. Derivative Litigation- “In*
5 *re Maxim*”).

6 Civil Local Rule 3-12(a) states that cases are related when:

7 (1) The cases concern substantially the same parties, property,
transaction or event; and

8 (2) It appears likely that there will be an unduly burdensome
9 duplication of labor or expense or conflicting results if the cases
are conducted before different Judges.

10 Both factors are met here. Both cases spring from challenges to Maxim Integrated
11 Products, Inc.’s stock option practices, in other words, both cases “concern substantially the
12 same [...] transaction or event.” Civil L.R. 3-12(a)(1). Further, the *SEC v. Jasper* and *In re*
13 *Maxim* cases should be assigned to the same judge to promote judicial economy. If the cases
14 proceeded in front of separate judges, each judge would be required to educate himself or herself
15 as to the same set of transactions as well as similar legal arguments being made by both plaintiffs
16 and defendants. Furthermore, Mr. Jasper, as a defendant in both actions, will be required to
17 defend the same or substantially similar actions before two different judges. In short, allowing
18 these cases to proceed separately “will be an unduly burdensome duplication of labor and
19 expense” that may lead to conflicting results. Civil L. R. 3-12(a)(2).

20 Counsel for Mr. Jasper has notified all parties in this case as well as in *Sec v.*
21 *Jasper* of Mr. Jasper’s intent to file this administrative motion. Pursuant to Civil Local Rule 3-
22 12(f), Mr. Jasper respectfully requests that this Court grant its Motion and order the *SEC v.*
23 *Jasper* and *In Re Maxim* cases related.

1 Dated: December 7, 2007 Respectfully submitted,

LATHAM & WATKINS LLP

Steven M. Bauer

Robert E. Sims

David M. Friedman

Heather L. Thompson

By _____/s/

Heather L. Thompson

Attorneys for Defendant

Carl W. Jasper